

8

**AMENDMENT TO H.R. 1104, AS REPORTED  
OFFERED BY MR. PENCE OF INDIANA**

At the end of title I (page \_\_\_\_, after line \_\_\_\_),  
insert the following:

**1 SEC. 108. MISLEADING DOMAIN NAMES ON THE INTERNET.**

2 (a) IN GENERAL.—Chapter 110 of title 18, United  
3 States Code, is amended by inserting after section 2252A  
4 the following:

**5 “§ 2252B. Misleading domain names on the Internet**

6 “(a) Whoever knowingly uses a misleading domain  
7 name with the intent to deceive a person into viewing ob-  
8 scenity on the Internet shall be fined under this title or  
9 imprisoned not more than 2 years, or both.

10 “(b) Whoever knowingly uses a misleading domain  
11 name with the intent to deceive a minor into viewing mate-  
12 rial that is harmful to minors on the Internet shall be  
13 fined under this title or imprisoned not more than 4 years,  
14 or both.

15 “(c) For the purposes of this section, a domain name  
16 that includes a word or words to indicate the sexual con-  
17 tent of the site, such as ‘sex’ or ‘porn’, is not misleading.

18 “(d) For the purposes of this section, the term ‘mate-  
19 rial that is harmful to minors’ means any communication  
20 that—



1           “(1) taken as a whole and with respect to mi-  
2           nors, appeals to a prurient interest in nudity, sex, or  
3           excretion;

4           “(2) depicts, describes, or represents, in a pat-  
5           ently offensive way with respect to what is suitable  
6           for minors, an actual or simulated sexual act or sex-  
7           ual contact, actual or simulated normal or perverted  
8           sexual acts, or a lewd exhibition of the genitals; and

9           “(3) taken as a whole, lacks serious literary, ar-  
10          tistic, political, or scientific value as to minors.”.

11          (b) CLERICAL AMENDMENT.—The table of sections  
12          at the beginning of chapter 110 of title 18, United States  
13          Code, is amended by inserting after the time relating to  
14          section 2252A the following new item:

“2252B. False or misleading domain names on the Internet.”.

